

Edh



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,459	01/15/2004	Shunpei Yamazaki	740756-2702	5047

22204 7590 09/07/2005

NIXON PEABODY, LLP
401 9TH STREET, NW
SUITE 900
WASHINGTON, DC 20004-2128

EXAMINER

VU, PHU

ART UNIT PAPER NUMBER

2871

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/757,459	Applicant(s) YAMAZAKI ET AL.	
	Examiner Phu Vu	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 3, 6, 9, 12, 17, 20, 23, 26, 29, 32, 35 and 41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-5, 7-8, 10-11, 13-16, 18-19, 21-22, 24-25, 27-28, 30-31, 33-34, 36-40, 42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election of species in the reply filed on 6/17/2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Applicant stated did however specify that species I was generic to species II and III thus, examination of species I & II is considered requested. Species III is considered non-elected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Sasaki et al US Publication No 2001/0004281.

Regarding claim 1, Sasaki teaches a manufacturing method of a liquid crystal display device comprising:

forming a seal material that surrounds a pixel area (display area see abstract) on a first substrate (fig. 7 step A2 and see abstract (c));

discharging a plurality of droplets containing a liquid crystal only on a region of the first substrate (fig. 7 step A3 and also see abstract (e)), the region surrounded by the seal material;

pasting the first substrate and the second substrate (A5 and abstract (f)); and

dividing the pasted pair of first and second substrates (A7).

Regarding discharging a plurality of droplets the reference states dropping which is interpreted as "to fall in drops" which follows the American Heritage College Dictionary definition of drop / dropping.

Regarding claim 2, Sasaki teaches a manufacturing method of a liquid crystal display device comprising:

forming a seal material that surrounds a pixel area on a first substrate (fig. 7 step A2 and see abstract (c));

forming a seal material layer on a second substrate (A2 see abstract (d));

discharging a plurality of droplets containing a liquid crystal only on a region of the first substrate (fig. 7 step A3 and also see abstract (e)), the region surrounded by the seal material;

pasting the first substrate and the second substrate (A5 and abstract (f)); and

dividing the pasted pair of first and second substrates (A7).

Regarding discharging a plurality of droplets the reference states dropping which is interpreted as "to fall in drops" which follows the American Heritage College Dictionary definition of drop / dropping.

Regarding claims 10-11, Sasaki teaches pasting occurring under reduced pressure.

Regarding claims 21-22, Sasaki teaches liquid crystal applied intermittently which is interpreted as separate droplets (see abstract (e)).

Regarding claims 24-25, the American Heritage College Dictionary defines continuous as uninterrupted in time, sequence, substance or extent. There since the dropping is uninterrupted in sequence it is considered continuous since no other steps occur during dropping (see abstract (e)). Also claims 24 and 25 depend on claims 1 and 2 which recite the limitation "plurality of droplets" which further support this interpretation.

Regarding claims 26-27, the reference teaches the LCD being an active matrix display (see [0176] "active elements").

Regarding claim 36, the reference teaches a liquid crystal display device, comprising: a pair of substrates (fig. 8B elements 1 and 2) which are pasted together with a first seal material (13) that surrounds a pixel area (display area see abstract) and a second seal material (12) that surrounds the first seal material; a liquid crystal (16) retained in a region surrounded by the first seal material; and a filler material formed between the first seal material and the second seal material.

Regarding claims 39-40 and 42, the reference teaches a liquid crystal display incorporated in a "display device" as a liquid crystal display is inherently a "display device."

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki in view of Tamai et al US Patent No 6851460.

Regarding claims 4-5 and 33-34, Sasaki teaches all the limitations of claims 4-5 and 33-34 except the plurality of droplets discharged over a pixel electrode provided from a plurality of nozzles by ink jet. Tamai discloses liquid crystal discharged over from a plurality of nozzles by ink jet in a device that precisely controls dropping of the liquid crystal (see column 1 line 66-column 2 line 2 and also see fig. 2A). Therefore, it would have been obvious to one of ordinary skill in the art to use a plurality of inkjet nozzles to precisely control dropping of liquid crystal.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki in view of Nishiguchi et al US Patent No 6226067.

Regarding claims 7 and 8, Sasaki discloses all the limitations of claims 7 and 8 except a heating step during liquid crystal discharging. Nishiguchi discloses heating of the first substrate during dropping to facilitate a state of equilibrium in the liquid crystal (see column 18 lines 1-15). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to heat the substrate to facilitate equilibrium in the liquid crystal.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki in view of Inoue et al US Publication No 2003/0090609.

Regarding claims 13-14, Sasaki discloses all the limitations of claims 13-14 except, the liquid crystal droplets over a pixel electrode under reduced pressure. Inoue discloses use of dropping liquid crystal under a vacuum to form large array and opposing substrates in a short amount of time (see [0112]). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to drop the liquid crystals in a vacuum to form large array and opposing substrates in a short amount of time.

Claims 15-16 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki in view of Inoue and further in view of Inou et al US Patent No 6639647.

Regarding claims 15-16 and 18-19, Sasaki discloses all the limitations of claims 15-16 and 18-19 except dropping of liquid crystal under a vacuum of 1×10^2 Pa to 2×10^4 Pa or 1 Pa to 5×10^4 Pa. Inoue discloses use of dropping liquid crystal under a vacuum to form large array and opposing substrates in a short amount of time (see [0112]). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to drop the liquid crystals in a vacuum to form large array and opposing substrates in a short amount of time.

Inou discloses that 100 Pa is can be achieved by rotary pumps or general purpose vacuum pumps and does not require a special type of pump (see column 6 lines 37-60). Therefore, it would have been obvious to one of ordinary skill to drop

Art Unit: 2871

liquid crystal in a pressure of 100 Pa which falls in both claimed ranges because this pressure is the lowest achievable without resorting to a special pumps.

Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki in view of Yokono et al US Patent No 4773737

Regarding claims 30 and 31, Sasaki teaches all the limitations of claims 30-31 except a passive matrix display. Yokono discloses that passive matrix displays only require a simple driving system (see column 4 line 33-39). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to use a passive matrix display to achieve a simple driving system.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki US 2001/0004281.

Regarding claim 38, Sasaki teaches all the limitations of claim 38 except a driver circuit between the first seal material and the second material, however, Sasaki discloses typical or conventional LCDs that have driver circuit disposed outside of a primary seal (first seal) (see [0017]) on a first substrate, which places it in between the primary and secondary seals. Conventionality has associated benefits as easy and well-developed implementation. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to place the driver circuitry between first and second seals because of its well-developed implementation.

Conclusion

Art Unit: 2871


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu Vu whose telephone number is (571)-272-1562.

The examiner can normally be reached on 8AM-5PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571)-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phu Vu
Examiner
2871



DUNG T. NGUYEN
PRIMARY EXAMINER